

# FEDERAL SECURITY AGENCY

## DRUGS AND DEVICES

### NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

851-900

## DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

WATSON B. MILLER, *Acting Administrator, Federal Security Agency.*  
Washington, D. C., March 10, 1944.

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### DRUGS ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED ACCORDING TO DIRECTIONS

851. **Misbranding of Tescum Powders.** U. S. v. Edna B. Brown (Tescum Company). Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 6476. Sample No. 59339-E.)

On November 11, 1942, the United States attorney for the Northern District of Ohio filed an information against Mrs. Edna B. Brown, trading as the Tescum Company, Cleveland, Ohio, alleging shipment on or about March 12, 1941, of a quantity of Tescum Powders from the State of Ohio into the State of West Virginia.

Analysis of a sample of Tescum Powders showed each power to contain 0.56 grain tartar emetic, 2.12 grains ammonium chloride, a trace of a gold compound, and sugar.

The article was alleged to be misbranded in that the statement, "Tescum Powders Tends to discourage drinking," appearing on the labeling was false and misleading as the drug would not be efficacious to discourage addiction to the use of alcoholic liquors. It was alleged to be further misbranded in that it contained tartar emetic and would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, "One powder twice a day in any food or liquid."

On October 30, 1942, a plea of guilty having been entered, the court imposed a fine of \$100 and costs.

\* For omission of accurate statement of quantity of contents, see Nos. 854, 876, 884, 896, 898; omission of, or unsatisfactory, ingredients statements, Nos. 854, 856, 873, 884, 891, 895, 896, 898, 899; inconspicuousness of required label information, Nos. 864, 871; deceptive packaging, Nos. 873; filth, No. 861; failure to comply with official compendium packaging requirements, No. 862.